

KUNTZ, J.

ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BLOOM, M.J.

Ras OMeil NOVado MORgan
also known as Ras NAGrom,

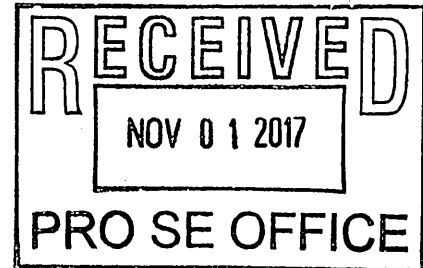
CV 17-6454

**COMPLAINT
JURY TRIAL DEMANDED**

Plaintiff,

- Against -

THE CITY OF NEW YORK,
LIEUTENANT ONE, "Caucasian Male"
SERGEANT ONE "African Male",
OFFICER WARREN LAU, shield no. 12575
POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil"



Defendants.

PRELIMINARY STATEMENT

The Pro Se Plaintiff, Ras OMeil NOVado MORgan, pursuant to provisions of 28 U.S.C. § 1654, Complaint against defendants' THE CITY OF NEW YORK; LIEUTENANT ONE (Caucasian male), NYPD 067th precinct; SERGEANT One (African Male), NYPD 067th precinct; OFFICER WARREN LAU, shield no. 12575, NYPD 067th precinct; POLICE OFFICER ONE (Caucasian Female) Hernse "She Devil", NYPD 067TH precinct, respectfully set forth upon information known, and belief, allege that:

1. This is a civil rights action for equitable relief and money damages pursuant to 42 U.S.C. §§§ 1983, 1981(a)(c), and 1988(a)(c), 1981(a)(c), and 1988(a)(c), in order vindicate the rights of a law-abiding New York City resident to be free from unconstitutional and unlawful stop and search by members of the City of New York Police Department. It is alleged that the individual police officer defendants

committed false arrest; unlawful imprisonment; malicious prosecution; malicious abuse of process; failure to intervene; assault and battery; illegal search; negligence; gross negligence; negligent screening, hiring, training, retention, and supervision; intentional infliction of emotional distress; negligent infliction of emotional distress; prima facie tort; conspiracy; violation of privacy; deprivations of the claimant's birth rights through God Law; claimant's rights, via United States of America Constitution Article VI, specifically "This Constitution, and the laws of the United States which shall be made in Pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme Law of the land, through Universal Human Rights Declaration Articles 4, 5, 7, 9, 12; and rights through the 1st, 4th, 5th, 6th, 8th, 13th, and 14th Amendments to the United States of America Constitution, and the STATE of NEW YORK Constitution.

2. The New York City Police Department's Stop, Question and Frisk program has grown over 700% over the past decade and has become one of the cornerstone policies of law enforcement in the city. The controversy of constitutionality surrounding this program has grown alongside it, with the legitimacy of the program questioned in a multitude of articles, reports, and lawsuits. The data released to the City Council by the New York City Police Department (NYPD) summarizing stop-and-frisk statistics for 2011 shows highest yearly total stops to date – 684,330 – with no meaningful change in huge racial disparities. This total is 14 percent higher than the number of stops in 2010, and it represents a more than 600 percent increase since 2002, the year the NYPD began keeping stop-and-frisk figures. Eighty-seven percent of those stopped in 2011 were Black or Latino, and the abysmally low rates of correlation between stops and actual arrests persist: nine out of ten persons stopped were not arrested, nor did they receive summonses.

3. Of the nearly 2.5 million or roughly 500,000 per year people stop-and-frisks that NYPD conducted in 2005 to 2009, nearly 90% were engaged in entirely lawful activity, as they were neither arrested nor issued a summons. Members of the minority communities are bearing the brunt of these NYPD practices, with Blacks and Latinos being the target of nearly 90% of NYPD stops.

4. The NYPD is using its sweeping stop-and-frisk operation to build a massive database of law-abiding, Blacks and Latinos, New York City residents. After conducting stops and frisk, police officers complete forms that, among other things, include the name and address of the person stopped, and that information is then entered into a centralized NYPD database. As a result of this practice and the surge of stops and frisks over the last several years, the NYPD now has a database of hundreds of thousands if not more than millions of law-abiding New Yorkers, like plaintiff who is now at risk of becoming the subject of criminal investigations by virtue of being in the database.

5. Plaintiff alleges, as a consequence of his arrest, he has a permanent scar on his clean record. Because the CITY OF NEW YORK Police Department began photographing the irises of people arrested in Manhattan in 2010, Plaintiff iris was taken and scan by device against his protest. As a result of the incident, plaintiff injuries, of physical, mental anguish and emotional damages still have not gotten any better. Plaintiff alleges that since his iris was photographed then scanned with device his eyes feels like something is in his eyes.

6. As a result of their actions, the defendants' have violated Ras MORgan rights under the Universal Human Rights Declaration, the United States Constitution and under the Constitution and laws of the State of New York. Plaintiff seeks a

declaration that the defendants' actions have been unlawful, injunctive relief, declaratory relief, and damages.

PARTIES

7. Plaintiff, Ras OMeil NOVado MORgan, by the Julian calendar, is a 32-year-old Rastafari Ethiopian African Melaninated male with faith in His Imperial Majesty Emperor Haile Selassie I. Ras OMeil MORgan wears a turban as a Priest in the ancient priesthood order of Melchisedec, in his way of living a spiritual life through our Holy Father Supreme. Ras MORgan was birth in Jamaica and is a naturalized Citizen of the United States of America and Citizen of New York State. Ras MORgan is a social-entrepreneur, a freelance photographer, and a student currently enrolled at City University of New York Medgar Evers College, a senior pursuing a Bachelor of Science in Public Administration with focus in Criminal justice administration.

8. Defendant, THE CITY OF NEW YORK is a municipal corporation duly incorporated and existing pursuant to laws of the State of New York. The City of New York has established and maintains the New York City Police Department (NYPD) as a constituent department or agency.

9. Defendant police officer WARREN LAU, shield no. 12575, NYPD Cmd: PBBKS, 3rd Floor at 67 precinct, 2820 Snyder Ave, Brooklyn, NY 11226, is or was an employee of the NYPD at all relevant times. He is sued in his official and individual capacities.

10. Defendant police officer SERGEANT ONE, "African Male", shield no. ?, NYPD's 67 precinct, 2820 Snyder Ave, Brooklyn, NY 11226, is or was an employee of the NYPD at all relevant times. He is sued in his official and individual capacities.

11. Defendant LIEUTENANT ONE, “Caucasian Male”, shield no. ?, NYPD’s 67 precinct, 2820 Snyder Ave, Brooklyn, NY 11226, is or was an employee of the NYPD at all relevant times. He is sued in his official and individual capacities.

12. Defendant OFFICER ONE, “Caucasian Female” Hernse “She Devil”, shield no. ?, NYPD’s 67 precinct, 2820 Snyder Ave, Brooklyn, NY 11226, is or was an employee of the NYPD at all relevant times. She is sued in her official and individual capacities.

FACTS

The Stop, Question, and Frisk Program

13. Police stops-and-frisks without reasonable suspicion violate the Fourth Amendment, and racial profiling is a violation of fundamental rights and protections of the Fourteenth Amendment and the Civil Rights Act of 1964. In recent years, the New York City Police Department’s Stop, Question, and Frisk program has grown into a controversial cornerstone of police activity in New York. In the last 10 years alone, the program has grown sevenfold, from 97,296 stops in 2002 to nearly 600,000 stops in 2011. The controversy surrounding this program has grown with it, with activists, news organizations, and others focusing substantial attention on the program and calling for reform on a variety of issues related to the program. Controversial aspects of the program include the alleged pervasive use of racial profiling and a widespread pattern of stops being made without adequate legal justification.

14. One of the most controversial aspects is the apparent racial bias in the targeting of both neighborhoods and individuals. This controversy has been extensively covered by major media outlets and other news organizations and has culminated in multiple lawsuits, including *Floyd v. City of New York*, a class action, which ruled against City of New York in the Southern District of New York, for violation of

United States Constitution. The NYPD's most recent data demonstrate these racial disparities, showing that while the population of New York City is only 54 percent Black or Hispanic, over 87 percent of those stopped were Black or Hispanic. This racial imbalance in the implementation of the Stop, Question, and Frisk program extends beyond the individuals stopped to the neighborhoods targeted for enforcement. For example, each of the four most active precincts for Stop, Question, and Frisk activity has a population that is majority Black and Hispanic.

Arrest and Detention of OMeil Morgan

15. Plaintiff, Ras OMeil NOVado MORgan, by Julian calendar is a 32-year-old Melaninated Ethiopian African Male, who prior to October 1, 2010, had never been stopped, frisked or arrested by City of New York Police Department Officers'.
16. On Sunday 2nd of November 2014 beginning at approximately 10:10 p.m., on Bob Marley Boulevard formerly Church Avenue at the corner of East 55th Street, Brooklyn, New York.
17. Plaintiff alleges, shortly after 10:10pm on November 2, 2014, at the above-mentioned location, claimant was traveler in automobile on the roadway when NYPD police officers racially motivated illegally stopped, grabbed, and searched claimant and place overly tight handcuffs on claimant's wrist. Without any reasonable grounds to think that Ras Morgan had committed or was about to commit a crime. Plaintiff while stopped at traffic light on red light saw then heard police siren as light turned green. Plaintiff responded by pulling over across intersection at East 55st on Bob Marley Boulevard (formerly Church Ave).
18. Prior to getting out of motor vehicle, Plaintiff dialed 911 out of fear for his life of Police. Then, Officer LAU frisked and searched Ras. MORgan. Plaintiff was

handcuffed against his will without any reason given as he repeatedly asked Officer LAU,

19. Upon Information and belief, Ras MORgan was told by Sergeant “African Male”, one of the NYPD Officers who came on the scene that because of plaintiff calling 911 for ambulance will cause for the entire arrest process to be done to him.

20. As a result of the incident, with much excitement and many on-lookers from the many police vehicles and many officers on the scene, Ras MORgan felt shamed and humiliated while being taken to NYPD car by Officer Lau.

21. Ras MORgan was put to sit in Police car with Police Officer LAU and other Officers standing outside conversing, before FDNY EMS ambulance arrived on scene.

22. Ras MORgan was asked by FDNY EMS Agent, who came on scene while he sat in the back seat of Officer LAU NYPD marked car, if he wished to be taken to hospital that Ras Morgan said yes. As a result, Officer LAU removed Ras Morgan from police car to put him in ambulance. (Exhibit #1 FDNY CAD#3728 Patient Information disclosure and assignment of claim)

23. While in ambulance at scene of incident, SERGEANT ONE “African Male”, who came on scene after Ras MORgan is handcuffed, came to ambulance door, which was open, with other officers behind him. Ras MORgan alleges SERGEANT ONE “African Male” speaking aggressively and angry as to why ambulance was called and fact that Ras Morgan would have been release from precinct, but “would now be process through the criminal justice process”. With serve anxiety, Ras MORgan asked if it’s his right to not answer SERGEANT ONE “African Male”. As such, Plaintiff didn’t answer SERGEANT ONE “African Male”, which caused SERGEANT ONE “African Male” to get even angrier.

24. After some time at scene, Ras MORgan was taken to Kings County Hospital Emergency Department to address to anxiety he felt from interaction with NYPD. Ras Morgan was seen by physician Wiener, Sage with diagnosis anxiety stated, unspecified and disposition discharged to home or self-care. (Exhibit #2 KCHC Mr#2677577 Patient Discharge report)

25. After leaving Kings County Hospital in a NYPD marked car with Officer Lau and two other Officers. When plaintiff arrived at 67th Precinct, Ras. MORgan again asked why he was being arrested. Officer LAU refused to explain to Ras MORgan why he had been arrested.

26. At City of New York 67th Precinct, Ras MORgan was taken in front of Defendant Sergeant "African Male" to verify property. Ras MORgan explained to Sergeant "African Male" that he was not told why he was arrested.

27. Ras. MORgan turban was removed by Officer WARREN LAU in holding area at 67th Precinct against his will while being held by four NYPD Officers and at command of LIEUTENANT ONE, "Caucasian Male", who told Officers to hold plaintiff, who did not resist, for Officer Lau, who forcefully removed plaintiff turban. Because plaintiff refuse to be photographed and fingerprinted, Ras MORgan was put in a filthy smelling holding cell by himself.

28. After some time in the filthy smelling cell, Plaintiff was taken to another holding area by Officer Lau to be photograph and fingerprinted. As plaintiff turban was not return to him after being removed by Officer Lau, Plaintiff took his red shirt, he was wearing, to wrap his head. At this point SERGEANT ONE "African Male" began screaming at Officer Lau to "control your perp" because plaintiff protested being fingerprinted and photographed. Plaintiff was photographed with his head covered

with his shirt at City of New York 67th Precinct against his protest. Plaintiff was not fingerprinted at City of New York 67th Precinct because of his protest.

29. Following, plaintiff was then placed in holding cell with other prisoners. While in holding cell, LIEUTENANT ONE, "Caucasian Male" told plaintiff of being held at precinct until he was fingerprinted. As such, Plaintiff refused to speak with LIEUTENANT ONE, "Caucasian Male", whose threat to Ras MORgan was indefinite detention. After some time, the prisoners were taken from holding cell. Plaintiff sat in cell by himself for some time. Eventually, plaintiff was re-handcuffed and given his turban that was forcefully removed by Officer Lau and taken to NYPD van that had the other prisoners who were in holding cell. Now, in CITY OF NEW YORK Police department Van, Plaintiff, prisoners, Officer LAU, POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil" as she called herself, Officers Driver and Passenger. The van stopped on Coney Island Avenue, before reaching central booking, to drop off Officer Lau, who plaintiff would see again after being photographed and put in cell with other prisoners at Central Booking.

30. As van drove to Central booking, POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil" was aggressive and loud towards plaintiff as she told other prisoners' that plaintiff was to be blamed for them waiting for at least one-hour prior to van leaving 67th Precinct. Plaintiff was told by Officer "She Devil" of him being held indefinite at Central booking because he was not fingerprinted at City of New York 67th Precinct. Plaintiff refused to speak with Officer "She Devil".

31. At Central Booking, plaintiff, against his will was force to remove shirt he used to cover his head since his turban was forcefully removed at CITY of NEW YORK 67 precinct, was photographed without his head covered although he was photographed with his head covered at CITY of NEW YORK 67 precinct. Furthermore, Plaintiff Iris

was photographed and scanned by device against his will. Additionally, Officer LAU took plaintiff from holding cell to be fingerprinted against his will to then be examined by two female medical staff, to whom plaintiff expressed anxiety he's experiencing. Upon Information and belief, the defendants' police officers had no warrant for the arrest of Ras Morgan. Upon Information and belief, at no time during the events described was Ras. Morgan intoxicated, incapacitated, a threat to the safety of himself or others, or disorderly. He had not committed any criminal offenses. As a result of the incident, Ras Morgan worries about being apprehended or worst by the CITY OF NEW YORK police department agents.

32. As a result of the incident, Ras Morgan arrest and summonses required him to appear in Criminal Court of the City of New York County of Kings in January 2015. In addition, Ras MORgan filed complaint, with Civilian Complaint Board, Saturday, November 2014 (Exhibit #3 Re: OCD 201411263 Dated November 6, 2014), to report what he felt was a violation of his rights. Furthermore, the arrest created much anxiety for Ras MORgan due to his first false arrest by NYPD on October 1, 2010.

33. As a result of the incident, Ras MORgan had emergency room treatment only at Kings County Hospital Medical Center Emergency room due to severe anxiety of the CITY OF NEW YORK Police department agents (Exhibit 2). As a result of the incident, Ras MORgan to-date suffers from injuries.

34. On January 26, 2015, Ras Morgan, by Pro Se, served a notice of claim (Exhibit #4 Claim No: 2015PI002420 Dated January 26, 2015), upon the Comptroller of the City of New York, pursuant to 50-e of the New York General Municipal Law. Plaintiff received letter from City of New York Comptroller (Exhibit #5 Claim No: 2015PI002420 Dated January 30, 2015). Additionally, Plaintiff receive from City of New York Comptroller (Exhibit #6 Notice of 50-H Hearing). As such, Plaintiff had

50-H Hearing on May 27, 2015 (Exhibit #7 50-H Hearing Transcript BLA#: 2015PI002420)

35. After many NYC criminal court appearance, on his 7th appearance, Ras Morgan Charge was ultimately dismissed on July 14, 2015 (Exhibit #8 CCCNY Certificate of Disposition Date July 23, 2014 No: 549216). Resulting from dismissal, plaintiff presented for settlement of matter to City of New York Comptroller. (Exhibit #9 Claimant's First Settlement Importune Dated October 26, 2015 Claim No: 2015PI002420)

36. Upon information and belief, the violation of Ras Morgan's rights resulted from the improper training of Officer WARREN LAU, POLICE OFFICER ONE "Caucasian Female" Hemse "She Devil", SERGEANT ONE "African Male", LIEUTENANT ONE, "Caucasian Male". Upon information and belief, it was the policy and/or custom of the City of New York to improperly investigate citizen complaints of police misconduct, and acts of misconduct were instead tolerated by the City of New York, including, but not limited to, plaintiff's incident.

JURISDICTION AND VENUE

37. This Court has subject-matter jurisdiction over Plaintiff's claims pursuant to 28 U.S.C. §§ 1331 and 1343(3)-(4);

38. This Court has supplemental jurisdiction over all state constitutional and state law claims pursuant to 28 U.S.C. § 1367 (a);

39. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2) in that Plaintiff's claims arise in the Eastern District of New York.

CAUSES OF ACTIONS

**COUNT I
MONELL CLAIM IN VIOLATION OF 42 U.S.C. § 1983**

40. Plaintiff re-alleges Paragraphs 1 through 39 and incorporates them by reference as Paragraphs 1 through 39 of Count I of this Complaint.

41. Plaintiff alleges that defendants' THE CITY OF NEW YORK; OFFICER WARREN LAU; POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil"; SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male" caused plaintiff injuries

42. Plaintiff alleges that defendants' THE CITY OF NEW YORK; Officer WARREN LAU; POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil"; SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male" actions were taken under color of law.

43. Plaintiff alleges that defendants' THE CITY OF NEW YORK; Officer WARREN LAU; POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil"; SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male" deprived plaintiff of his human, constitutional and statutory rights.

44. Plaintiff alleges that defendants' THE CITY OF NEW YORK; OFFICER WARREN LAU; POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil"; SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male" actions are causally related to his injuries.

45. Plaintiff alleges that as a result of the defendants' THE CITY OF NEW YORK; OFFICER WARREN LAU; POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil"; SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male" actions caused his damages.

46. Plaintiff alleges that an official policies: Broken Window and Stop, Question, and Frisk, of the CITY OF NEW YORK Police Department caused his human rights, constitutional and statutory injuries.

COUNT II
IMPROPER HIRING IN VIOLATION OF 42 U.S.C. § 1983

47. Plaintiff re-alleges Paragraphs 1 through 46 and incorporates them by reference as Paragraphs 1 through 46 of Count II of this Complaint.

48. Plaintiff alleges that defendant THE CITY OF NEW YORK deprived him of his constitutional rights by hiring defendants' Officer WARREN LAU, POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil"; SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male"

49. Plaintiff alleges that defendant THE CITY OF NEW YORK decision to hire defendants' Officer WARREN LAU, POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil", SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male" reflects a deliberate indifference to the risk that a violation of a human, constitutional or statutory right would follow.

50. Plaintiff alleges that as a result of defendant THE CITY OF NEW YORK decision to hire defendants' Officer WARREN LAU, POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil", SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male" he sustained constitutional and statutory injuries.

COUNT III
FAILURE TO TRAIN IN VIOLATION OF 42 U.S.C. § 1983

51. Plaintiff re-alleges Paragraphs 1 through 50 and incorporates them by reference as Paragraphs 1 through 50 of Count III of this Complaint.

52. Plaintiff alleges that defendant THE CITY OF NEW YORK knows to a moral certainty that its employees will confront a given situation.

53. Plaintiff alleges that the situation either presents the employee with a difficult choice of the sort that training will make less difficult or that there is a history of employees mishandling the situation.

54. Plaintiff alleges that mishandling those situations will frequently cause the deprivation of a citizen's constitutional rights.

55. Plaintiff alleges that as a result of defendant THE CITY OF NEW YORK's failure to train its employees, he sustained human rights, constitutional and statutory injuries.

**COUNT IV
FAILURE TO SUPERVISE IN VIOLATION OF 42 U.S.C. § 1983**

56. Plaintiff re-alleges Paragraphs 1 through 55 and incorporates them by reference as Paragraphs 1 through 55 of Count IV of this Complaint.

56. Plaintiff alleges that defendant THE CITY OF NEW YORK knows to a moral certainty that its employees will confront a given situation.

57. Plaintiff alleges that the situation either presents the employee with a difficult choice of the sort that supervision will make less difficult or that there is a history of employees mishandling the situation.

58. Plaintiff alleges that mishandling those situations will frequently cause the deprivation of a citizen's constitutional rights.

59. Plaintiff alleges that as a result of defendant THE CITY OF NEW YORK's failure to supervise its employees, he sustained human rights, constitutional and statutory injuries.

COUNT V
RIGHT OF RELIGIOUS FREEDOM IN VIOLATION OF
THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION
AND 42 U.S.C. § 2000BB-1

60. Plaintiff re-alleges Paragraphs 1 through 59 and incorporates them by reference as Paragraphs 1 through 78 of Count V of this Complaint.

61. Plaintiff alleges that as a direct result of acts, omissions, and policies of the Defendants, Ras. MORgan was deprived of his rights in officers impeding the free exercise of religion under the First Amendment of the United States Constitution, 42 U.S.C. § 2000BB-1 and 42 U.S.C. § 1983.

COUNT VI
UNREASONABLE FORCE IN VIOLATION OF
THE FOURTH AMENDMENT OF THE UNITED STATES CONSTITUTION
AND 42 U.S.C. § 1983

62. Plaintiff re-alleges Paragraphs 1 through 61 and incorporates them by reference as Paragraphs 1 through 61 of Count VI of this Complaint.

63. Plaintiff alleges that as a direct result of acts, omissions, and policies of the Defendants, Ras MORgan was deprived of his rights in officers both seizing the plaintiff and the use of objectively unreasonable force under the Fourth Amendment of the United States Constitution and 42 U.S.C. § 1983.

COUNT VII
EXCESSIVE FORCE IN VIOLATION OF
THE FOURTEENTH AMENDMENT OF THE UNITED STATES
CONSTITUTION AND 42 U.S.C. § 1983

64. Plaintiff re-alleges Paragraphs 1 through 63 and incorporates them by reference as Paragraphs 1 through 63 of Count VII of this Complaint.

65. Plaintiff alleges that as a direct result of acts, omissions, and policies of the Defendants, Ras MORgan was deprived of his rights in the use of excessive force and

in malicious prosecution under the Fourteenth Amendment of the United States Constitution and 42 U.S.C. § 1983.

**COUNT VIII
MALICIOUS FORCE IN VIOLATION OF
THE EIGHT AMENDMENT OF THE UNITED STATES CONSTITUTION
AND 42 U.S.C. § 1983**

66. Plaintiff re-alleges Paragraphs 1 through 65 and incorporates them by reference as Paragraphs 1 through 65 of Count VIII of this Complaint.

67. Plaintiff alleges that as a direct result of acts, omissions, and policies of the Defendants, Ras. Morgan was deprived of his rights in the use of malicious force under the Eight Amendment of the United States Constitution and 42 U.S.C. § 1983.

**COUNT IX
MALICIOUS PROSECUTION IN VIOLATION OF
THE FOURTH AMENDMENT OF THE UNITED STATES CONSTITUTION
AND 42 U.S.C. § 1983**

68. Plaintiff re-alleges Paragraphs 1 through 67 and incorporates them by reference as Paragraphs 1 through 67 of Count IX of this Complaint.

69. Plaintiff alleges that as a direct result of acts, omissions, and policies of the Defendants, Ras Morgan was deprived of his rights in the use of malicious prosecution under the Fourth Amendment of the United States Constitution and 42 U.S.C. § 1983.

**COUNT X
EXCESSIVE FORCE IN VIOLATION OF
THE FOURTH AMENDMENT OF THE UNITED STATES CONSTITUTION
AND 42 U.S.C. § 1983**

70. Plaintiff re-alleges Paragraphs 1 through 69 and incorporates them by reference as Paragraphs 1 through 69 of Count X of this Complaint.

71. Plaintiff alleges that as a direct result of acts, omissions, and policies of the Defendants, Ras. Morgan was deprived of his rights in the use of excessive force under the Fourth Amendment of the United States Constitution and 42 U.S.C. § 1983.

72. Plaintiff alleges that defendants' THE CITY OF NEW YORK; OFFICER WARREN LAU; POLICE OFFICER ONE "Caucasian Female" Hernse "She Devil"; SERGEANT ONE "African Male"; LIEUTENANT ONE, "Caucasian Male" actions caused him physical, mental anguish and emotional distress.

REQUESTS FOR RELIEF

WHEREFORE the Plaintiff respectfully request that the Court:

73. Declare that Defendants' actions violated Ras OMeil NOVado Morgan rights under the First Amendment of the United States Constitution;

74. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under the Fourth Amendment of the United States Constitution;

75. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under the Fourteenth Amendment of the United States Constitution;

76. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under the Eight Amendment of the United States Constitution;

77. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under the Thirteenth Amendment of the United States Constitution;

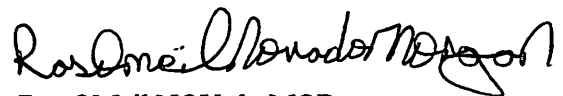
78. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under Universal Human Rights Declaration Articles 3;

79. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under Universal Human Rights Declaration Articles 4;

80. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under Universal Human Rights Declaration Articles 5;

81. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under Universal Human Rights Declaration Articles 7;
82. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under Universal Human Rights Declaration Articles 9;
83. Declare that Defendants' actions violated Ras OMeil NOVado MORgan rights under Universal Human Rights Declaration Articles 12;
84. Award compensatory damages for injuries sustained by Ras OMeil NOVado MORgan;
85. Award punitive damages to Ras OMeil NOVado MORgan from the officers' who effectuated unreasonable force, used excessive force, false arrest, illegal imprisonment, malicious prosecution through issuing spurious summonses, and violation of religious freedom;
86. Issue an injunction requiring the Defendants expunge from their records, plaintiff Iris photographed, plaintiff photographed without his had covered including but not limited to the NYPD's stop, question and frisk database, any information concerning Ras. OMeil NOVado MORgan relating to his November 2, 2014 and prior false arrest on October 1, 2010;
87. Grant any other relief the Court deems necessary and proper.

Dated: Brooklyn, New York
November 1, 2017



Ras OMeil NOVado MORgan
By Pro Se THE PLAINTIFF,





BILL DE BLASIO
MAYOR

CIVILIAN COMPLAINT REVIEW BOARD
100 CHURCH STREET 10th FLOOR
NEW YORK, NEW YORK 10007 ♦ TELEPHONE (212) 912-7235
www.nyc.gov/ccrb

RICHARD D. EMERY, ESQ.
CHAIR
BRIAN K. CONNELL
ACTING EXECUTIVE DIRECTOR

November 6, 2014

Mr. Omeil Novado Morgan
[REDACTED]
[REDACTED]

RE: OCD 201411263

Dear Mr. Morgan:

The Civilian Complaint Review Board (CCRB) acknowledges the receipt of your complaint.

The CCRB has jurisdiction to investigate complaints filed against officers of the New York City Police Department that allege excessive use of force, abuse of authority, discourtesy, or use of offensive language, including slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. We have determined that your complaint does not fall within the board's jurisdiction, either because the allegations do not fall within our jurisdiction or because the subject of the allegations is a civilian employee of the police department.

The Office of the Chief of Department (OCD) of the New York City Police Department has jurisdiction to investigate complaints that question the validity of summonses and arrests, and the competence with which police officers perform their general duties; it is also authorized to investigate complaints filed against civilian employees of the police department. Therefore, we have referred your complaint to the Office of the Chief of Department for investigation.

An OCD control number has been obtained for you and it appears at the top of this page. An investigator assigned by the Office of the Chief of Department will contact you and will handle all further action regarding your complaint.

If you have any questions, please contact the Office of the Chief of Department, 300 Gold Street 3rd Floor, Brooklyn, New York 11201, telephone number (718)-834-3382. Please refer to your OCD control number when making all inquiries.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise Alvarez".

Denise Alvarez
Director of Case Management

(Exhibit # 3)

In the matter of the Claim of

Ras OMeil NOVado MORgan

- against -

CITY OF NEW YORK

NOTICE OF CLAIM

2015 JAN 26 PM 3:16

TO: THE CITY OF NEW YORK

PLEASE TAKE NOTICE that the undersigned, **PRO SE**, claimant hereby makes claim and demand against CITY OF NEW YORK as follows:

1. The name and post office of the claimant is:

OMeil NOVado MORgan
PRO SE Claimant

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

2. The nature of the claim: false arrest; unlawful imprisonment; malicious prosecution; malicious abuse of process; failure to intervene; assault and battery; illegal search; negligence; gross negligence; negligent screening, hiring, training, retention, and supervision; intentional infliction of emotional distress; negligent infliction of emotional distress; prima facie tort; conspiracy; violation of privacy; deprivations of the claimant's birth rights through God Law; claimant's rights through Universal Declaration of Human Rights Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19; and rights through the 1st, 4th, 5th, 8th, 13th, and 14th Amendments to the United States of America Constitution and the NEW YORK STATE Constitution.

3. The time when, the place where, and the manner in which the claim arose:

On Sunday 2nd of November 2014 beginning at approximately 10:10 p.m., on Church Avenue

(Exhibit #4)

by the corner of East 55th Street, Brooklyn, New York, in a New York City Police Department motor vehicle, at Kings County Hospital, at NYPD central booking, and at an NYPD police precinct.

The CITY OF NEW YORK, its agents, employees, supervisors, and police officers, acting under color of law, unlawfully and without reasonable suspicion or any just cause racially motivated stopped, detained, kidnapped, searched, arrested, and imprisoned claimant.

At the above mentioned location, claimant was lawful traveller on the roadway when NYPD police officers racially motivated illegally stopped, grabbed, and searched claimant and place overly tight handcuffs on claimant's wrist. Claimant calling, prior to being handcuffed, 911 out of fear and claimant's plea for help to 911 operator were both answered with ambulance that arrived on scene after claimant was handcuffed and placed in NYPD officers motor vehicle. Claimant's anxiety in fear, in worry, in uneasiness, and in nervousness, which has not gotten any better, of NYPD officers resulted in claimant seeking medical treatment at Kings County Hospital where claimant was transported with NYPD officer by ambulance while handcuffed. Where claimant's diagnosis anxiety state, unspecified to be discharged to home or self care. Thereafter, claimant's released from Hospital approximately 3:00 am, when NYPD officers transported by NYPD motor vehicle claimant to a NYPD precinct, where claimant objected to being fingerprinted and objected to being photographed, which was done under duress with claimant head covered with his shirt as claimant turban against claimant protest was forcefully removed. Claimant's turban was forcefully pulled off his head while being held by many NYPD officers at a NYPD precinct. Further, NYPD officers forcefully remove claimant turban in violating claimant's liberty in the free exercise of his Rastafari way of life in faith through His Imperial Majesty Emperor Haile Selassie I. At a NYPD precinct, officers imprisoned claimant therein until later that morning when they transported claimant to NYPD central booking by NYPD motor vehicle. Furthermore, at NYPD central booking, under duress by

NYPD officers threat that claimant would be held indefinite in detention due to refusal of claimant to not being fingerprinted at a NYPD precinct. At NYPD central booking, claimant's turban was removed in being photographed for second time for prisoner movement slip photograph . Thereafter, later in the afternoon on November 3, 2014, claimant arraignment at Criminal Court of the CITY OF NEW YORK when claimant was released on his own recognizance to return to court.

The above actions of NYPD officers were witnessed by other NYPD officers who failed to intervene in the illegal conducts described herein. In so doing, the CITY OF NEW YORK and its employees intentionally, recklessly, and negligently caused physical and emotional injuries and distress to claimant.

4. The claimant seeks, among other things, the following relief: monetary redress for injuries to claimant's well being, the full extent of which are as yet not fully determined. Claimant claims damages for physical, mental, and psychological pain and suffering,, embarrassment, humiliation, and punitive damages, and diverse general and special damages, and damages under 42 USC Sec. 1983.

5. The total damages claimed: the claimant seeks the maximum jurisdictional amount of monetary damages allowed under the laws of the United States and New York State, and claimant will ask a jury of his peers to decide the amount of damages deemed appropriate.

The undersigned claimant therefore presents this claim for adjustment and payment. You are hereby notified that unless it is adjusted and paid within the time provided by law from the date of presentation to you, the claimant intends to commence an action on this claim.


Omeil NOVado MORGan by PRO SE

VERIFICATION

STATE OF NEW YORK)
)
COUNTY OF KINGS)

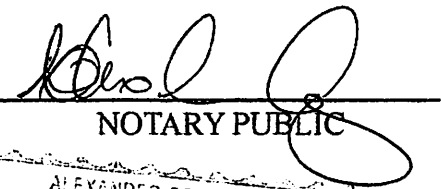
OMeil NOVado MORgan affirms through our Holy Supreme God truth and says;

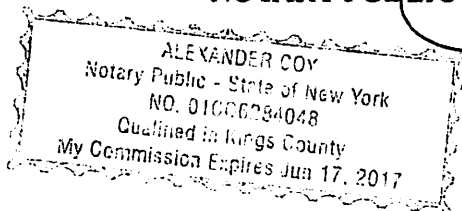
1. Claimant is PRO SE in the within action.
2. Claimant has read the foregoing claim and knows its contents.
3. Claimant affirm the foregoing is God truth based on the statements made by claimant.

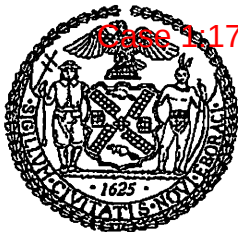


OMeil NOVado MORgan by PRO SE

Sworn to before me this day
January 26th, 2015


NOTARY PUBLIC





015 - 188

THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER
1 CENTRE STREET, NEW YORK, N.Y. 10007-2341

Scott M. Stringer
COMPTROLLER

Date: 01/30/2015
Claim no: 2015PI002420
Claimant: RAS OMEIL NO VADO
MORGAN
Date of Occur: 11/02/2014

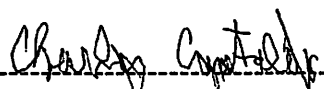
RAS OMEIL NO VADO MORGAN
[REDACTED]
[REDACTED]

The above claim is being reviewed. In order to properly evaluate this claim, please complete the items which are marked and return the form.

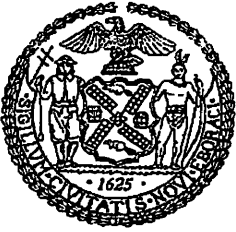
- (x) Claimant's social security # [REDACTED]
(x) Claimant's date of birth [REDACTED]
(x) Copy of final disposition JULY 14, 2015
(x) Precinct of occurrence 67th
(x) Name and shield # of arresting officer WARREN LAU, 12575
(x) Copy of arrest report, rap sheet and, if filed, CCRB report
(x) Related medical records, particularly emergency room & ambulance records.
(x) Medicaid and/or Medicare lien? N/A
(x) Medicaid/CIN #
(x) Any other information and or documents pertinent to your claim

If you have any questions, feel free to contact CHARLES CASTALDO at (212) 669-4765.

Sincerely yours:


CHARLES CASTALDO
EXAMINER - PERSONAL INJURY DIVISION
Bureau of Law & Adjustment - Room 1220

(Exhibit #5)



THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER
1 CENTRE STREET, NEW YORK, N.Y. 10007-2341

Scott M. Stringer
COMPTROLLER

Date: 03/11/2015

NOTICE OF 50-H HEARING

015 - 274

RAS OMEIL NO VADO MORGAN

Re: Claimant Name : RAS OMEIL NO VADO
MORGAN
ClaimNumber: 2015PI002420

Dear Sir / Madam:

Please take notice that, pursuant to Section 50-h of the General Municipal Law(GML), claimant is mandated by law to appear at the following location, at the date and time specified below, to be orally examined under oath relative to the occurrence and extent of injuries for which the above claim is made:

Date of Hearing: 05/21/2015

Time of Hearing: 11:30 AM

Location of Hearing: JANE BARRETT AND ASSOCIATES, LLC (#2)
188 MONTAGUE STREET SUITE 402
BROOKLYN, NY 11201
(718) 237-3400

The claimant should be accompanied by his or her attorney and all infant claimants must appear. Claimant is further mandated, pursuant to Section 93(d) of the New York City Charter and Section 50-h of the GML, to present him/herself for a physical examination at a date and location to be provided under separate cover.

You will be called by the law office above to confirm the date and time of the hearing. At that time you can request a language interpreter for your client, if necessary. **If an interpreter has been ordered and the claimant or counsel fails to appear for the hearing without giving 48 hours prior written notice, counsel will be charged for the cost of the interpreter.**

Exhibit #6)

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF KINGS

CERTIFICATE OF DISPOSITION
NUMBER: 549216

THE PEOPLE OF THE STATE OF NEW YORK
VS

MORGAN, OMEIL
Defendant

[REDACTED]
Date of Birth

[REDACTED]
Address

[REDACTED]
NYSID Number

[REDACTED]
City

[REDACTED]
State

[REDACTED]
Zip

11/03/2014
Date of Arrest/Issue

Docket Number: 2014KN082928

Summons No:

VTL 511.1A
Arraignment Charges

Case Disposition Information:

Date Court Action
07/14/2015 DISMISSED AND SEALED

Judge
YAVINSKY, M

Part
TRIAL1

SEALED

pursuant to Section 160.50 of the CPL

NO FEE CERTIFICATION

☐ GOVERNMENT AGENCY ☐ COUNSEL ASSIGNED
☐ NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED
☐ SOURCE ☐ ACCUSATORY INSTRUMENT ☐ DOCKET BOOK/CRIMS ☐ CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN
THIS COURT.

DUDLEY, R
COURT OFFICIAL SIGNATURE AND SEAL

07/23/2015
DATE

FEE: NONE

(CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT
SEAL OVER THE SIGNATURE OF THE COURT OFFICIAL.)

(Exhibit #8)

In the Matter of Claim of

Ras OMeil NOVado MORgan

Date: 10/26/2015

Claim No: 2015PI002420

Re: Claimant's First Settlement
Importune

-against -

CITY OF NEW YORK

TO: THE CITY OF NEW YORK

PLEASE TAKE NOTICE, that through, King of King and Lord of Lord
Conquering Lion of the Tribe Of Judah His Imperial Majesty Emperor Haile
Selassie I, First Power of Holy Trinity, Elect of God. I am, the claimant, Ras OMeil
NOVado MORgan by Pro Se, who presents this settlement importune on the CITY OF
NEW YORK, in the amount One Billion Dollars (1,000,000,000.00), as to claim
number **2015PI002420**. Now, the facts of incident shows, claimant is the victim in
various violations on Sunday, 2nd November 2014 of his God Given Rights, Universal
Human Rights, and Rights in all treaties championing Human Liberty that being
violated by the City of New York Police Department Unconstitutional widespread
policies of Broken Window, Stop, Question, and Frisk. As such, in reviewing CITY
OF NEW YORK policies, the Amendment Fourteenth of United States Constitution is
appropriate that reads, "No State shall make or enforce any law which shall abridge
the privileges or immunities of citizens of the United States; Nor shall any state
deprive any person of life, liberty, or property, without due process of law; nor deny to
any person within its jurisdiction the equal protection of the laws". Also, the
Amendment Four of United States Constitution that provides further clarity reads,

(Exhibit #9)

Omeil_MORgan_Settlement_Importune_CITY_OF_NEW_YORK_2015PI002420

2015 OCT 26 PM 4:36
RECEIVED
CITY OF NEW YORK
CLERK OF THE COURT

“The right of the people to be secure in their persons, houses, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to searched, and the persons or things to be seized”. Thereupon, Pro Se Claimant's Settlement Importune is made in his effort to move forward with his life in Self Healing from impacts of Sunday 2nd November 2014 incident with NYPD Officers, which then turn into malicious prosecution through Criminal Court proceedings that ultimately ended in dismissal of charge against him as Pro Se Defendant. On no fault of his own, this incidents have caused claimant unprovoked anxiety, mental, physical, emotional, and psychological damages.

From Claimant's Notice of Claim # **2015PI002420** , As to nature of claim: Deprivation of Claimant's Birth Rights through God Law; False arrest; Unlawful Imprisonment, Malicious Prosecution; Malicious Abuse of Process; Failure to Intervene; Assault and Battery; Illegal Search; Negligence; Gross Negligence; Negligence Screening, Hiring, Training, Retention, and Supervision; Intentional Infliction of Emotional Distress; Negligent Infliction of Emotional Distress; Prima Facie Tort; Conspiracy; Violation of Privacy; Claimant's Rights through Universal Declaration of Human Rights Articles: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19; and Rights through the 1st, 4th, 5th, 8th, 13th, and 14th Amendments to the United States of America Constitution and New York State Constitution. Furthermore, as what claimant seeks, among other things, the following relief: Monetary redress for damages to claimant's well being, which the full extent are not as yet fully been determined. Claimant claims damages for physical, mental, and psychological pain

and suffering, embarrassment, humiliation, and punitive damages, and diverse general and special damages, and damages under 42 USC Sec. 1983.

As we Commemorate 150th years, The United States Civil War ending and the ending of Slavery, except as a punishment for crime, with the Thirteenth Amendment to United States Constitution, Let we acknowledge that the nation's internal war was really regarding this institution of slavery. Aftereffect, in this present time 2015, I am subjected to slavery, "as punishment for crime whereof the party shall have been duly convicted in these United States, or any place subject to their jurisdiction". Truly, I feel how I ancestors feel in chattel slavery as I walked hands handcuffed from behind, while I together with other prisoners walked, from a NYPD transport automobile van, down into a holding pen or underground jail, on early morning before sun rise of November 3, 2014. Vividly, I remember slavery as if it was only yesterday from this heartfelt experience through the criminal justice system. On that account, I speak as a slave from feeling shackles in the form of handcuffs and hearing sounds in the opening and in the closing of slave pen, the jail gates. I was taken to an Auction block in the form of a Court Room, in seeing the Judge, to determine value of I person in remanding or releasing on own recognizance. Forasmuch, I live to be free as I am born free. Hence, Slavery is real as I still feel handcuffs of the slave catchers or NYPD Officers that are agents of CITY OF NEW YORK. I know this truth, "even in this 21st century with, Love, Faith, Truth, Courage, and Just Cause, David will still defeat Goliath." through H.I.M. Haile Selassie I.

I heart-fully inquire that the CITY OF NEW YORK institute a commission on slavery institutions in researching the CITY's business history in African slave trade, slavery, and criminal justice system that is linked to slavery as punishment for a crime

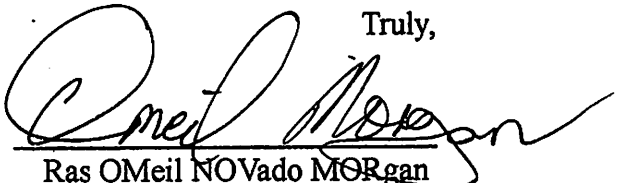
according to the 13th Amendment of United States Constitution. As a result of these truths, the African Individuals need reparation from the institutions American slavery built, the CITY OF NEW YORK imperative apology for its major business role in slavery and CITY's continued profiting from the legacies of slavery. As a prerequisite to reparation from slavery in these United States, the ending of slavery in all its form is first step. Henceforth, In the 13th Amendment to the United States Constitution there is found a violation of International law. Specifically, the Universal Human Rights Declaration article IV states, which United States is signatory, "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms". With this open reasoning on slavery, the souls of I ancestors rejoice in truth's judgment victory of good over evil.

I am, Ras OMeil NOVado MORgan, the authorize claimant who accordingly presents this Settlement Importune on claim number **2015PI002420** against the CITY OF NEW YORK for adjustment and payment. Henceforth, the CITY OF NEW YORK is hereby notified that unless claim is adjusted and paid within the time provided by law from the date Sunday of 2nd November 2014, the claimant intends to commence an action on this claim. Furthermore, for whatever reason, if the CITY OF NEW YORK is unable to resolve this claim since claimant presenting Notice of claim to the Office of Comptroller, the claimant will seek the maximum jurisdictional amount of monetary damages allowed under International laws, the laws of the United States and New York State and the claimant will ask a jury of his peers to decide the amount of damages that is justice appropriate in equity, honesty, integrity and Love. **As a rule to filing a New York State litigation, any lawsuit against the CITY must be started within one year and ninety day from the date of the occurrence.**

If you have any questions regarding this settlement importune for
claim # **2015PI002420**, you may contact via standard mail or email, Ras OMeil
NOVado MORgan.

Dated: Brooklyn, New York

October 26, 2015

Truly,

Ras OMeil NOVado MORgan
By, Pro Se, The Claimant

Via Hand Delivery. To :

THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
Mr. Scott M. Stringer, Comptroller
1 CENTRE STREET,
NEW YORK, NY 10007-2341

THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
CLAIMS AND ADJUDICATIONS
Mr. Micheal Aaronson,
Chief, Bureau of Law and Adjustment
1 CENTRE STREET,
NEW YORK, NY 10007-2341

